

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:22-cv-00112-MR**

VICTOR O'KELLY,

Plaintiff,

vs.

C. BROWN, et al.,

Defendants.

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ORDER

THIS MATTER is before the Court on review of the docket in this matter.

Pro se Plaintiff Victor L. O'Kelly ("Plaintiff") filed this action on August 17, 2022, against Defendants C. Brown and three John Doe Defendants, pursuant to 42 U.S.C. § 1983. [Doc. 1]. Plaintiff is proceeding in forma pauperis. [Docs. 2, 10]. The Court conducted initial review of Plaintiff's Complaint pursuant to 28 U.S.C. § 1915(e)(2). [Doc. 12]. The Court found that Plaintiff failed to state a claim upon which relief can be granted and allowed Plaintiff thirty (30) days from November 9, 2022, to amend his Complaint in accordance with the terms of the Court's Order. [Id.]. The Court advised Plaintiff that if he failed to timely file an amended Complaint, this action would be dismissed without prejudice and without further notice to

Plaintiff. [Id. at 12].

More than 30 days have passed, and Plaintiff has not filed an amended complaint. The Court will, therefore, dismiss this action without prejudice for Plaintiff's failure to state a claim for relief and his failure to timely amend his Complaint.

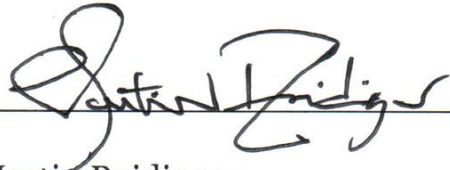
ORDER

IT IS, THEREFORE, ORDERED that Plaintiff's Complaint [Doc. 1] is dismissed without prejudice in accordance with the terms of this Order.

The Clerk is instructed to terminate this action.

IT IS SO ORDERED.

Signed: January 13, 2023



Martin Reidinger
Chief United States District Judge

